

	<p>IDEM Permit Guide: Permitting Associated with Providing Drinking Water</p> <p>www.IN.gov/idem/guides/permit/water/drinkingwater.html</p>
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Who May Need a Permit

We generally think of public water systems as being operated by, and providing water to, cities and towns. However, anyone intending to provide drinking water to at least fifteen (15) service connections or to regularly serve an average of at least twenty-five (25) individuals (including employees) daily at least sixty (60) days out of the year qualifies as a public water system. This includes the development of subdivisions and mobile home parks. Campgrounds, churches, restaurants, gasoline stations, schools, industries, or motels are examples of facilities which also may qualify as public water systems.

Anyone qualifying as a PWS must obtain a Drinking Water Construction Permit prior to constructing, installing, or modifying any facility, equipment, or devices to provide drinking water including, but not limited to; wells, water mains of any length, chemical additions, booster stations (pumps), storage tanks, or drinking water treatment plants. As an option to the drinking water construction permit, any qualified PWS can utilize the permit-by-rule for water main construction by submitting to IDEM a Notice of Intent in lieu of an application for Drinking Water Construction.

A permit is not required for replacement projects of similar design and capacity or to replace existing water mains, as long as the same location and material type, diameter, and class pipe are used. At the applicants request, IDEM can confirm in writing that a particular replacement project does not required a permit.

Some of the things an applicant must do to comply with IDEM's Drinking Water Construction Permit Program include:

- Obtain the permit prior to the start of any work on the project,
- List on the application their Public Water System Identification Number (or a PWSID number will be assigned to any new public water system),
- Provide a list of Potentially Impacted Parties (PIPs) who may be affected by the construction of a water supply facility,
- Submit a set of plans which bear on each page the seal and dated signature of a professional engineer registered in the State of Indiana,
- Fill out each application attachment which applies to the project being proposed (Attachment A for water mains, Attachment B for wells, Attachment C for pumping

stations, Attachment D for storage tanks, Attachment E for chemical additions and Attachments A through E for a water treatment plant),

- Include any fees which may be required, and
- Begin work on the project within one year of the issuance of the permit.
- To use the permit-by-rule, the applicant must:
 - Submit a of Notice of Intent (NOI) on the appropriate IDEM-generated forms to IDEM by certified mail at least 30 days before the commencement of construction,
 - Provide in the NOI the name of the project, the name(s), address(es) and phone number(s) of the responsible person, the engineer, and (if applicable) the developer,
 - Provide the name and system ID number of the public water system being extended or connected to,
 - Provide the location of the project,
 - Provide a schedule of construction either with the NOI, at least 10 working days before the start of construction,
 - Provide technical information regarding the demand of the proposed facility and the capacity of the supplying public water system, and
 - The responsible person must certify that 1) the project meets the eligibility requirements, 2) all information in the NOI is true and accurate, 3) the project will be supervised by them, and 4) they assume responsibility for ensuring that the project conforms to all local requirements.

What to Expect

Those submitting a NOI to construct a water main extension under the permit-by-rule will be expected to comply with all the requirements of the NOI, and to construct the extension to the standards established by the rule. They may begin construction 30 days after submitting a NOI. On the other hand, processing an application for a Drinking Water Construction Permit is completed in 60 days or less, except that processing an application for an entire water treatment plant can take 90 days. Applications for publicly owned facilities (not all PWS are publicly owned) are processed at no cost. Construction Permit fees for privately owned PWS are; \$500 for wells, \$100 for pumps, \$250 for chemical additions, and \$200 for storage tanks. Water line extensions of under 2,500 feet are free, while lines from 2,501 feet to 5,000 linear feet are \$150, from 5,001 feet to 10,000 feet are \$250, and lines over 10,000 feet in length are \$500. The cost of reviewing an application for expanding or building a new water treatment plant can range from \$625 to \$2,500.

In addition, new community (cities, towns, private water companies, and mobile home parks) and nontransient noncommunity (schools, industries, and motels) water systems commencing operation after October 1, 1999 must demonstrate adequate technical, financial, and managerial capability. Please contact the drinking water branch to discuss the specifics of this new federal capacity development requirement.

PWSs who wish to obtain their water supply from wells must have a well-site approval

from the field inspection section, unless the proposed well is part of an approved wellhead protection program. The well must be drilled by a driller licensed by the Indiana Department of Natural Resources (InDNR). In addition, any well drawing more than 100,000 gallons of groundwater per day must be registered with the InDNR within 90 days after the well's pumping equipment has been put into service. For information regarding InDNR well water regulations contact 317/232-0154.

In general, the Drinking Water Program utilizes the following approach for public notice requirements. If there are ten (10) or more PIPs a notice may be published in a local newspaper of general circulation. The notice must describe the proposed project and allow a thirty (30) day public comment period. Afterward, IDEM will address concerns related to permitting the proposed project it received during the comment period. On the other hand, if there are fewer than ten (10) PIPs, those individuals may instead be notified by IDEM when it issues a decision regarding the permit. That Notice of Decision includes information on where to view the pending permit and how to appeal IDEM's decision. The PIPs then have eighteen (18) days to consider the pending permit and to file an appeal, if they so chose, with the Office of Environmental Adjudication. Notice will always be issued using one of these two means.

Regarding Ongoing Compliance with Drinking Water Standards

A PWS must not only comply with all the requirements of the IDEM Drinking Water Construction Permit Program, but after construction, the PWS must continuously comply with all the health based requirements established in the U.S. Safe Drinking Water Act. Those standards are contained in Title 327, Article 8, Rule 2 of the Indiana Administrative Code (327 IAC 8 -2). Rule 2 establishes operational protocol, sets construction standards, and delineates maximum contaminant levels for drinking water.

It also outlines analytical methodologies for sampling, testing, monitoring and reporting on a wide range of possible contaminants, and establishes maximum contaminant levels (MCLs) intended to protect human health. Using those methodologies public water suppliers are required to stay under the MCLs for a wide range of organic and inorganic compounds, microbiological contaminants, radioactive contaminants, and lead and copper. Rule 2 also sets out the various public notice requirements to be met by owners or operators of a public water system which fails to comply with the MCLs.

For Additional Information

To learn more about IDEM's Drinking Water Construction Permit Program or to obtain an Application for PWS or a Notice of Intent form for the permit-by-rule, contact:

Arnold Bockrand

Phone: 317/308-3302

E-mail: abockran@dem.state.in.us

You can also visit the IDEM Internet Website at <http://www.IN.gov/water/dwb/index.html>. For further information on Safe Drinking Water Act Standards contact 800/426-4791.

Disclaimer

This permit guide is intended to provide background information which should be useful in planning for a particular project that may require an environmental permit. It does not substitute for consultation with the appropriate regulatory agency and/or the appropriate rules or statute.